

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-21 and 23-24 are pending. Claims 1, 2, 7, 9, 11, 13, 15, 17, 19, and 24 have been amended. No claims have been added or canceled.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 1-21 and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over Brown et al. (US Patent No. 4,710,926) in view of Li (US Patent No. 5,473,599). Applicant respectfully traverses the rejection.

Claim 1 as amended sets forth:

causing said plurality of processes to interact with each other to establish a **priority** of status, such that each of said plurality of processes can alter the priority of another of said plurality of processes without the use of a master to enable said interaction or alteration of priority, wherein said **priority** is based on a value of **the unique process identifier** assigned to each of said plurality of processes.

(Claim 1 as amended; emphasis added)

In contrast, Brown fails to disclose the above limitation as admitted in the Office Action (Office Action, p. 3). Moreover, Li also fails to teach the above limitation.

Claim 1 teaches that the priority is *based on a value of the unique process identifier* assigned to each of said plurality of processes. However, the Office Action argued that the disclosure of “an integer” in Li, col. 9, ln. 28-31 taught “an identifier in which the method uses for determining priority status for each router” (Office Action, p. 17, first paragraph). Applicant respectfully disagrees and submits that Li merely discloses:

As suggested, each router has a specified priority which is used in elections and coups of the active router. A priority is configured for each router by a user of the network. *The priority of each router is preferably an integer* between 0 and 255 (i.e., an 8 bit word.) with 100 being the default.

(Li, col. 9, ln.28-31; emphasis added)

Accordingly to Li, the “integer” disclosed is the value of the priority itself. The “integer” in the above passage of Li is not a process identifier. Furthermore, Li discloses that two routers (which are analogized to be the processes claimed in the Office Action) may have the **same** priority (Li, col. 9, ln.38-42). As such, the “integer” in Li may be the same for two routers. Thus, the “integer” in Li is not a **unique** process identifier. Therefore, Li fails to disclose a priority of each of a plurality of processes based on a value of the unique process identifier assigned to each process. For at least the above reason, Li also fails to teach the above limitation of claim 1. Therefore, claim 1 as amended is patentable over Brown in view of Li.

Claims 9, 13, 15, 19, and 24 are also patentable over Brown in view of Li for at least the reason discussed above with respect to claim 1. Claims 2-8, 10-12, 14, 16-18, 20-21, and 23 depend from claims 1, 9, 13, 15, and 19, respectively. Thus, claims 2-8, 10-12, 14, 16-18, 20-21, and 23 are patentable over Brown in view of Li. Withdrawal of the rejection is respectfully requested.

Conclusion

For at least the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly solicited.


If the Examiner perceives any further obstacle to allowing the present application, the Examiner is invited to contact the undersigned at (408) 720-8300.

Pursuant to 37 C.F.R. §1.136(a)(3), Applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. §§1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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